

(ORDER LIST: 538 U.S.)

TUESDAY, MAY 27, 2003

**CERTIORARI -- SUMMARY DISPOSITION**

02-983 CASS, FRANK V. STEPHENS, PATRICIA L., ET AL.

The petition for a writ of certiorari is granted.  
The judgment is vacated and the case is remanded to the Court of Appeals of Texas, Eighth District, for further consideration in light of *State Farm Mut. Automobile Ins. Co. v. Campbell*, 538 U.S. \_\_ (2003).

**ORDERS IN PENDING CASES**

02M95 CARLSON, STEPHEN W. V. UNITED STATES

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time is denied.

02M96 McCORKLE, WILLIAM J. V. UNITED STATES

The motion for leave to file a petition for a writ of certiorari under seal is denied without prejudice to filing a renewed motion together with a redacted petition for a writ of certiorari within 30 days.

126, ORIG. KANSAS V. NEBRASKA, ET AL.

The motion of the Special Master for allowance of fee and disbursements is granted, and the Special Master is awarded a total of \$145,182.45 for the period July 1, 2002, through April 15, 2003, to be paid equally by the parties.

128, ORIG. ALASKAS V, UNITED STATES

The motion of the Special Master for allowance of fees and reimbursement is granted, and the Special Master is awarded a total of \$57,264.08 for the period October 17, 2002, through April 16, 2003, to be paid equally by the parties.

**CERTIORARI GRANTED**

02-1290 USPS V. FLAMINGO INDUSTRIES, ET AL.

The petition for a writ of certiorari is granted.

02-964 BALDWIN, GEORGE H. V. REESE, MICHAEL

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted.

02-1348 OLYMPIC AIRWAYS V. HUSAIN, RUBINA, ETC., ET AL.

The petition for a writ of certiorari is granted.  
Justice Breyer took no part in the consideration or decision of this petition.

**CERTIORARI DENIED**

02-728 VALDIVIESO, BRANDON, ET AL. V. ATLAS AIR, INC.

02-869 PHARMACEUTICAL RESEARCH, ETC V. MEDOWS, SEC. FL AGENCY, ETC.

02-1206 TIGUE, JOHN J., ET AL. V. DEPT. OF JUSTICE, ET AL.

02-1221 UNITED STATES SHOE CORP. V. UNITED STATES

02-1228 SHREFFLER, SCOTT V. UNITED STATES

02-1230 RANG, CRAIG L. V. SCHLUMBERGER TECH.

02-1245 MUHAMMAD, SADAT V. DIAMOND OFFSHORE CO.

02-1289 N. JERSEY MEDIA GROUP, ET AL. V. ASHCROFT, ATT'Y GEN., ET AL.

02-1382 FISHER, STEPHEN, ET UX. V. NY COMM'R OF TAXATION

02-1383 GOODE-HENRY, RUBY V. PHILADELPHIA, PA, ET AL.

02-1387 WAITERS, ROBERT C., ET AL. V. PRINCE GEORGE'S COUNTY, MD

02-1390 LOREN, NICOLE V. SASSER, CHARLES, ET AL.

02-1396 AXFORD, NAIDA B. V. SUPREME COURT OF AZ, ET AL.

02-1397 RASMUSSEN, JOHN, ET UX. V. KING COUNTY, WA

02-1398 MILLER, MADELYN V. BROWNSTEIN, MARTIN, ET AL.

02-1402 PA PUBL. UTIL. COMM'N V. NAT'L RR PASSENGER CORP.

02-1403 ST. GERMAIN, MARVIN, ET AL. V. U.S. HOME CORP.

02-1410 PAGE, WARDEN V. SCHULTZ, STEVEN B.

02-1414 GRAND FORKS BASEBALL, ET AL. V. ND WKRS. COMPENSATION BUREAU

02-1415 GRAND AERIE V. TENINO AERIE NO. 564, ET AL.

02-1421 MADISON, HARVEY, ET AL. V. GRAHAM, PATRICK J., ET AL.

02-1431 SPAHR, THOMAS R., ET AL. V. RESORTS INTERNATIONAL

02-1439 LENTINO, MARTA A. V. CAGE, LOWELL T.

02-1456 SHARMA, NEENA V. ASHCROFT, ATT'Y GEN.

02-1484 TEXAS DIGITAL SYSTEMS, INC. V. TELEGENIX, INC.

02-1502 KALODNER, PHILIP P. V. ABRAHAM, SEC. OF ENERGY

02-1544 PLUNK, GERALD F. V. UNITED STATES

02-1552 HOLMAN, FREEMAN V. UNITED STATES

02-8477 SHULER, LEONE M. V. SHULER, JAMES D.

02-8538 AMES, BRYON K. V. PONTESSO, WARDEN, ET AL.

02-8767 MICHAELS, KURT V. CALIFORNIA

02-8868 ZENO, BRYANT V. UNITED STATES

02-9638 GIBSON, JEFFREY V. CANDELARIA, WARDEN, ET AL.

02-9649 CRUM, EARL V. CAIN, WARDEN, ET AL.

02-9651 SHILLING, MARK A. V. COCKRELL, DIR., TX DCJ  
02-9653 BEARD, CURTIS L. V. COCKRELL, DIR., TX DCJ  
02-9659 PARKER, JOEL V. NORTH CAROLINA, ET AL.  
02-9662 HAMBY, SCOTT D. V. YARBOROUGH, WARDEN  
02-9665 HIGH, ANTHONY J. V. NORTH CAROLINA  
02-9667 HASTINGS, BRIAN K. V. LT. CAMPBELL, ET AL.  
02-9668 HALE, WILLIAM J. V. BOONE, KEVIN, ET AL.  
02-9670 FENLON, ROBERT M. V. THOMAS, TOMMY, ET AL.  
02-9672 GARCIA, RANDALL A. V. TEXAS  
02-9680 GOETSCH, CHAD E. V. BERGE, WARDEN  
02-9681 HARDAWAY, ANTHONY V. CAIN, WARDEN  
02-9683 HALL, DERRICK V. FLORIDA  
02-9684 HATFIELD, DAREN C. V. ALAMEIDA, DIR., CA DOC  
02-9685 PARRISH, ALVIN J. V. FLORIDA  
02-9687 HAILEY, BOBBY V. TEXAS  
02-9688 FLORES, JESSE R. V. COCKRELL, DIR., TX DCJ  
02-9689 GRAHAM, CHRISTA D. V. BATTLE, WARDEN  
02-9690 GARCIA, ANDERSON V. GREINER, SUPT., GREEN HAVEN  
02-9694 KULKA, JAMES E. V. CALIFORNIA  
02-9701 PAIGE, JAMAINE V. ALAMEIDA, DIR., CA DOC  
02-9703 CUMMINGS, JESSIE J. V. OKLAHOMA  
02-9705 DAVIS, MINYARD C. V. OVERTON, DIR., MI DOC  
02-9706 DE LA CRUZ, ROBERTO G. V. TEXAS  
02-9708 CADOGAN, GODFREY V. LaVIGNE, WARDEN, ET AL.  
02-9710 EMMITT, WILLIE L. V. SNIDER, WARDEN, ET AL.  
02-9712 COCHRANE, BRENDAN V. McGINNIS, SUPT., DOWNSTATE  
02-9713 DIZON, FERDINAND V. ILLINOIS

02-9714 CHAMBERS, MICHAEL A. V. ILLINOIS  
02-9721 HUMPHREY, LEE D. V. EVERETT, WARDEN, ET AL.  
02-9722 HANSFORD, TERENCE R. V. JOHNSON, DIR., VA DOC  
02-9724 GOLDWATER, EDWARD V. BALLINGER, JUDGE, ETC.  
02-9725 GOLDWATER, EDWARD V. McNALLY, JUDGE, ETC.  
02-9727 BATES, JOSEPH E. V. LEE, WARDEN  
02-9731 JOHNSON, RAYMOND L. V. CROSBY, SEC., FL DOC, ET AL.  
02-9737 BROWN, KEITH V. SAAR, SEC., MD DOC  
02-9742 WILLIAMS, MITCHELL T. V. NORTHWEST AIRLINES, INC.  
02-9746 DeFRANK, JAMES V. PALMATEER, SUPT., OR  
02-9752 RISER, DARRYL V. BOSTIC, AMY, ET AL.  
02-9754 PERRUQUET, JOSEPH V. MATRISCIANO, ACTING WARDEN  
02-9759 REID, ERIC V. ILLINOIS  
02-9761 SEITZ, ROBERT J. V. COCKRELL, DIR., TX DCJ  
02-9768 MADYUN, SHAHEED T. V. FRANK, SEC., WI DOC, ET AL.  
02-9770 LOVELL, GEORGE T. V. HATCHER, WARDEN  
02-9771 KELLEY, MICHAEL D. V. MOORE, WILLIAM T., ET AL.  
02-9778 CAMPBELL, TESHOM V. ILLINOIS  
02-9780 ANDREWS, MICHAEL W. V. RENICO, WARDEN  
02-9785 MACY, DAVID A. V. SAIF CORP.  
02-9787 PATTERSON, TOBI V. CZERNIAK, SUPT., OR  
02-9793 McINTYRE, EDDIE D. V. CALIFORNIA  
02-9797 SCHIRATO, CHRISTOPHER M. V. JOHNSON, WARDEN, ET AL.  
02-9799 TAYLOR, JAMES R. V. OHIO  
02-9800 BURNS, CLINTON V. FLORIDA  
02-9817 WILLIAMS, LORENZO V. FLORIDA

02-9818 TRAINER, STEVEN B. V. BROWN, THOMAS, ET AL.  
02-9851 WAGENER, RONALD C. V. VIRGINIA  
02-9876 KALINOWSKI, RICHARD A. V. HOLMES, WARDEN, ET AL.  
02-9881 NITSCHKE, MICHAEL E. V. OREGON  
02-9887 LYONS, JAMES D. V. BEELER, WARDEN  
02-9901 WHEELER, LEON V. JONES, WARDEN  
02-9947 PALMER, MICHAEL A. V. LaVIGNE, WARDEN  
02-9950 MUSICA, SPEED E. V. CROSBY, SEC., FL DOC, ET AL.  
02-9971 MORE, ROBERT J. V. DEPT. OF LABOR, ETC.  
02-9972 ALOMBA, DODO K. V. ASHCROFT, ATT'Y GEN., ET AL.  
02-9975 CLEMONS, LAWRENCE P. V. LOUISIANA  
02-9976 EDWARDS, ROBERT A. V. DOBBS, STEVEN R., ET AL.  
02-9977 KRONCKE, ROBERT E. V. RYAN, DIR., AZ DOC, ET AL.  
02-9995 ALTHOUSE, KEVIN R. V. DALLAS CTY. JAIL MEDICAL  
02-10000 GRIFFIN, DALE N. V. KANSAS  
02-10004 CABANILLA, LINDA R. V. BATES, ROBIN, ET AL.  
02-10020 DUNCAN, GENE M. V. MIRO, WARDEN, ET AL.  
02-10028 ECKLES, DONNIE L. V. ALABAMA  
02-10033 SMITH, THOMAS E. V. ENGLISH, TIMOTHY, ET AL.  
02-10035 SANDERS, QUORDALIS V. V. NEUMAN, LESTER C.  
02-10040 BAILEY, GEORGE L. V. CALIFORNIA  
02-10044 CALDWELL, JOHNNY R. V. BARNHART, COMM'R, SSA  
02-10047 ATAMIAN, GABRIEL G. V. BARNHART, COMM'R, SSA  
02-10051 BACH, LEROY A. V. FLORIDA  
02-10065 THORN, JOSEPH P. V. UNITED STATES  
02-10068 YOUNGWORTH, WILLIAM P. V. MASSACHUSETTS  
02-10075 ROBERTS, LOWELL V. UNITED STATES

02-10087 MANNING, RONALD L. V. ARIZONA  
02-10118 PANGELINAN, JOHN S., ET UX. V. TRINIDAD, ANGELITO, ET AL.  
02-10189 PERRY, JESSIE J. V. UNITED STATES  
02-10219 LADD, ROBERT C. V. COCKRELL, DIR., TX DCJ  
02-10225 DUFRESNE, JOHN V. UNITED STATES  
02-10235 GENERAL, DANNY K. V. UNITED STATES  
02-10245 GAMBRELL, JAMES E. V. UNITED STATES  
02-10247 GARCIA-MEZA, JESUS V. UNITED STATES  
02-10248 FORD, BRENDA L. V. UNITED STATES  
02-10270 ESPINOZA, ROBERT A. V. UNITED STATES  
02-10274 PITTMAN, ANTHONY A. V. UNITED STATES  
02-10277 WHITED, RUTH V. UNITED STATES  
02-10284 RANDALL, DUANE C. V. UNITED STATES  
02-10286 RISHER, RICHARD C. V. UNITED STATES  
02-10290 WIEDERHOLD, KEVIN A. V. UNITED STATES  
02-10291 AGUILAR-MARTINEZ, FELIX M. V. UNITED STATES  
02-10294 HARDEN, JOSEPH V. UNITED STATES, ET AL.  
02-10298 CRAWFORD, NANCY L. V. UNITED STATES  
02-10300 CLINTON, CURTIS L. V. UNITED STATES  
02-10301 WHITE, WINSTON V. UNITED STATES  
02-10305 HAMLET, EDWARD T. V. UNITED STATES  
02-10306 GONZALEZ, ESMERALDA V. UNITED STATES  
02-10307 GOFF, RUFUS V. UNITED STATES  
02-10308 GERALDO-BURGOIN, OSCAR V. UNITED STATES  
02-10313 RIDDICK, JOSEPH V. UNITED STATES  
02-10316 BARLOW, TERRENCE V. UNITED STATES

02-10317 THOMAS, LAMAR E. V. UNITED STATES  
02-10318 WINSTON, KWAN A. V. UNITED STATES  
02-10330 GONZALEZ, GUILLERMO V. WILEY, WARDEN  
02-10333 GINYARD, ERIK J. V. UNITED STATES  
02-10336 EDMUNDS, AUDREY A. V. DEPPISCH, WARDEN  
02-10341 PASTRANO, APOLONIO V. UNITED STATES  
02-10342 JOHNSON, GREGORY V. UNITED STATES  
02-10344 BROWN, JERRY T. V. UNITED STATES  
02-10345 MALDONADO, RICHARD V. UNITED STATES  
02-10350 STRINGER, DAVID V. UNITED STATES  
02-10353 ROSE, RICHARD T. V. UNITED STATES  
02-10354 BUTRON-PONCE, ALFREDO V. UNITED STATES  
02-10356 ACOSTA-OLVERA, GENARO V. UNITED STATES  
02-10358 MOLLOY, DAVID V. UNITED STATES  
02-10359 PAULA-MARTES, JOSE V. UNITED STATES  
02-10361 LATHERN, JERMAINE L. V. UNITED STATES  
02-10362 LIPSCOMB, SAMUEL V. UNITED STATES  
02-10363) MOSS, WILLIAM V. UNITED STATES  
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02-10406) TAYLOR, BRAD V. UNITED STATES  
02-10364 SINGH, STEVEN G. V. UNITED STATES  
02-10365 ROSAS-RESENDIZ, SAUL V. UNITED STATES  
02-10367 BARAJAS, JOSE L. V. UNITED STATES  
02-10371 GAMEZ, MANUEL V. UNITED STATES  
02-10372 HAOUARI, MOKHTAR V. UNITED STATES  
02-10374 VARGAS, OSCAR V. UNITED STATES  
02-10375 WRIGHT, JOSEPH V. UNITED STATES  
02-10376 DIOS-GONZALEZ, AGUSTIN V. UNITED STATES



02-10377 DIGGS, CEDRICK V. UNITED STATES  
02-10378 CESENA DE GARCIA, SANDRA E. V. UNITED STATES  
02-10384 SERRANO, FRANK V. UNITED STATES  
02-10394 GAMEZ-GONZALEZ, JOSE A. V. UNITED STATES  
02-10397 GONZALES, MAURILO S. V. UNITED STATES  
02-10400 TABAS, RONALD V. UNITED STATES  
02-10403 KUZON, WARREN V. UNITED STATES  
02-10404 ZUNIGA, RUBEN V. UNITED STATES  
02-10408 VIGGIANO, JOSEPH V. UNITED STATES

The petitions for writs of certiorari are denied.

02-1066 KUEHNE & NAGEL, INC. V. MOTOROLA, INC., ET AL.

The petition for a writ of certiorari is denied.

Justice Scalia took no part in the consideration or  
decision of this petition.

02-1286 HOHENBERG BROS. CO., ET AL. V. UNITED STATES

02-1404 CITY OF SAN FRANCISCO, ET AL. V. BANK OF AMERICA, ET AL.

The petitions for writs of certiorari are denied.

Justice Breyer took no part in the consideration or  
decision of these petitions.

02-9704 DOPP, RICHARD L. V. LORING, BEN, ET AL.

02-9945 BROOKS, JAMES V. AJIBADE, CALEB D., ET AL.

The motions of petitioners for leave to proceed *in  
forma pauperis* are denied, and the petitions for writs of  
certiorari are dismissed. See Rule 39.8.

02-9739 McBRIDE, STEPHEN V. DVOSKIN, JOEL, ET AL.

The motion of petitioner for leave to proceed *in*

*forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

02-10299 CHUNG, HELEN Y. V. MEYERS, WARDEN, ET AL.

The petition for a writ of certiorari before judgment is denied.

#### **MANDAMUS DENIED**

02-9764 IN RE ISSAC MILLER

02-10320 IN RE FARAMARZ MEHDIPOUR

The petitions for writs of mandamus are denied.

#### **REHEARINGS DENIED**

01-10341 OCANA, JOSE M. HERNANDEZ V. PUERTO RICO POLICE DEPT.

02-7467 LORRAINE, CHARLES L. V. COYLE, WARDEN

02-7572 STRUBEL, CHERYL, ET VIR V. UNITED STATES

02-7927 WATANABE, RENEE V. LOYOLA UNIV. OF CHICAGO

02-7937 MARINICH, JEANETTE V. PEOPLES GAS LIGHT AND COKE

02-8287 AREVALO, JOAQUIN E. V. GEORGIA

02-8422 SCIALLA, ROBERT V. PASCACK VALLEY HOSPITAL

02-8430 SCHEIB, CAROLE L. V. PORT AUTHORITY TRANSIT  
02-8546 IN RE CHARLES ROSS  
02-8757 SHELTON, STANTON Q. V. ROTHOVE, DUANE  
02-8790 CAMPBELL, DWIGHT V. UNITED STATES  
02-8923 CHUN, IN SOO V. EMPLOYMENT SEC. DEPT. OF WA  
02-9038 WYNN, OSBORNE V. JENKINS, CHMN., VA PAROLE  
02-9190 GARRETT, JONATHAN T. V. UNITED STATES

The petitions for rehearing are denied.

02-7540 PATTERSON, EDWARD C. V. USPS  
02-8407 CLAIBORNE, DENNIS G. V. IRWIN, GARY

The motions for leave to file petitions for  
rehearing are denied.

#### **RECESS ORDER**

The Court will take a recess from today  
until Monday, June 2, 2003.